



Working Locally

**Local Councils
and
Milton Keynes Council**

A Draft Framework

**(For Local Councils to have
an increased role in service delivery)**

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Foreword

This Draft Framework, developed jointly by Milton Keynes Council (MKC) and Milton Keynes Association of Local Councils (MKALC), sets out how Local Councils (Parish, Town and Community Councils) can have an increased role in service delivery, as well as reminding us all of the importance of the role that Local councils play and the opportunities that they have in shaping and creating better places and environments for the communities of Milton Keynes.

As local government continues to change and financial challenges continue to increase, we must now, more than ever before, work together to ensure that the right services are being delivered in the right way, to the right people, at the right level.

This Draft Framework is a living document. It will evolve, as our experiences and activities provide us with knowledge to work to develop better outcomes for everyone.

Councillor Liz Gifford
Cabinet Member for Place
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Context

Local Government has changed significantly over the last few years. The Localism Act 2011 and the Open Public Services White Paper supported a national drive to shift power away from central government to local government, communities and individuals. Reduced central government funding and increased demand for services mean that principal authorities are facing the toughest period of financial challenge in history. Since 2010, MKC has had to cut over £130m from its budget. It simply cannot afford to deliver the same level of services as previously, so there is an opportunity for Local Councils to play a more active role in design and delivery though topping up services or taking over delivery.

Additionally, some Local Councils feel that some services and assets would be better managed locally and would like to do so irrespective of budgetary pressure and financial challenge on MKC.

This potential exists in Milton Keynes regardless of the differences in size of population, finances and activities they undertake, whether small Parish Meetings or large Community and Town Councils ranging from 15 to 10,250 properties and from a zero precept to £870,000 per year. There will be different solutions depending on the means and needs of each locality.

This Draft Framework builds on the work already undertaken by Local Councils and sets out how they can **engage at a level that suits them**, which ranges from simple service monitoring and shaping (e.g. influencing existing contracts) through to taking on full responsibility for delivering local services and becoming owners of assets.

Solutions will be different and varied, and could include a group of Local Councils working together or could include an arrangement where MKC and a Local Council work together; the options and solutions will recognise that MKC and MKALC share the common objectives of providing the best possible services, and promoting local community pride.

A key criterion for any solution will be that any proposed arrangement should deliver at least the standard that MKC would have delivered had it been continuing to deliver that service.

This Draft Framework is a **'living document'** and must be regularly reviewed and updated to reflect any government guidance, changes in legislation, and 'local' changes as we work together, and as our experience of delivering differently and more locally, grows and develops.

Taking the next steps

There are many different ways in which Local Councils could have an increased role in service delivery. These range from very limited roles to complete takeover of services / transfer of powers.

Local Councils could resolve to **influence service delivery**, for example, requesting changes to the way existing MKC contracts are delivered / inputting into requirements / monitoring outcomes.

Local Councils could resolve to **enhance / top up** (from baseline services) for example

- Pay MKC to top up service (e.g. extra litter bin emptying)
- Purchase direct, additional services 'specially offered' under an 'access framework' arrangement by one of MKC's current contractors
- Procure their own separate contract
- Encourage community participation with support / sponsorship from local business to top up
- Employ their own staff / wardens
- Use volunteers / volunteer teams

Local Councils could resolve to request to **take over** services. A Local Council may request this because, for example, MKC are reducing service provision or are ceasing it all together, or the request could simply be because the Local Council feel that the service (and any associated assets) could be better managed locally. Where MKC agree to the Local Council taking over a service because it is better delivered locally, MKC will provide transparent and clear information about costings and will propose to make payment to the Local Council to cover the cost of delivery and which may include an element towards overhead. Any such payment will be the equivalent to the cost that MKC would have incurred if it had continued to deliver the service.

Example services which Local Councils could influence enhance / top up or take request to take over are in **Table 1** below. Many of these are services that fall within the Place Directorate (Public Realm) but as a living document, these examples are likely to extend to include services in the People Directorate over time.

MKC could at a future point resolve to **devolve** a service / elements of services to Local Councils following appropriate consultation and work on affordability and practicality. MKC will provide transparent and clear information about costings and payments associated with delivery of the service, as well as any associated governance requirements.

As an alternative to a single Local Council taking over a service / topping up, local councils could 'cluster' informally or a larger 'lead council' could take over services on behalf of smaller neighbours.

MKC / Local Government Shared Services (LGSS) will provide support on a paid basis in areas such a Legal and Procurement if requested by Local Councils who are interested and progressing different solutions to have an increased role in service delivery.

Local Councils who wish to have an increased role in service delivery or who wish to buy additional services from MKC or its contractors should make their intentions known by writing direct to Sarah Gonsalves, Acting Director of Policy, Insight and Communications or emailing at (sarah.gonsalves@milton-keynes.gov.uk)

Table 1

Influencing / monitoring - examples	
Fly tipping	Can easily see and report fly tipping
Gully cleaning / highway maintenance	One off blockages and unseasonal conditions can be reported and inform the 'prioritisation plan'. Notification of issues prior to cyclical maintenance work visits
Overgrown trees / landscaping / play areas	Can be easily seen and reported. Can be tailored to more local needs
Street cleansing	Can be seen, monitored and notified – e.g. litter hotspots, etc. Can be tailored to more local needs
Parking enforcement	Can be easily seen and reported Can be tailored to more local needs
Enhance / top up - examples	
Grass cutting	Can be tailored to more local needs
Small shrub maintenance	Can be tailored to more local needs
Play area maintenance	Can be tailored to more local needs
Street cleansing	Can be tailored to more local needs

Winter maintenance of non strategic routes	Gritting can be undertaken with small scale equipment.
Litter bins / litter picking	Additional emptying / litter picking can be undertaken at a (potentially) lower cost and have a high impact.
Parking enforcement and resident parking schemes	Can be tailored to more local needs
Footpath weed clearing / weed spraying (non-highway)	The local level could deliver a faster response at a (potentially) lower cost.
Additional Rights of Way Surveys	Uses local knowledge to increase information.
Additional Rights of Way Maintenance	Uses local knowledge, provides added value.
Additional Rights of Way Vegetation Clearance	Uses local knowledge, provides added value.
Bus Shelter Maintenance and procurement activities	Can be tailored to more local needs.
Take Over - examples	
Grit Bin Provision	Can be tailored to meet local needs
Removal of low level graffiti / fly posting	Can be tailored to meet more local needs.
Current Rights of Way surveys	Uses local knowledge and provides added value.
Current Rights of Way maintenance	Uses local knowledge and skills and provides an option to use volunteers
Street naming	Local interest.
Provision of litter bin emptying	Local level could deliver a faster, more tailored response at a (potentially) lower cost
Painting of bollards	Local interest.
Street name plate repairs	Local interest. Uses local knowledge.
Planning Enforcement - part delegation of the low risk element of the work (investigation)	Risks can be managed and limited, providing added value.

Environment Enforcement - part delegation of the low risk element of the work such as issuing fixed penalty notices for dog fouling, litter, etc	Risks can be managed and limited, providing added value.
Liaison with landowners over Rights of Way - part delegation of low risk element of the work (routine issues)	Builds on existing relationships, provides added value
Sign cleaning	Synergy with other Local Council roles. Provides added value
Rights of Way seasonal vegetation clearance	Uses local knowledge. Provides added value. Important local issue.
Weed spraying	Synergy with other Local Council roles.
Litter picking	Provides added value and requires minimal equipment. Synergy with other Local Council roles. Local interest.
Grass cutting	Synergy with other Local Council roles.
Tree Surveys	Local interest.
Maintenance of public open space and play areas	Local Interest.
Noise and nuisance abatement - part delegation of low risk element of the work (investigation)	May provide a faster response to local issues.
Public conveniences	Local Interest
Provision of traffic signs	Local Interest

Exclusions

Contracted service delivery

Some services are **not currently** being considered for **transfer** to Local Councils because they are currently delivered under a **contractual agreement / arrangement with MKC, eg with SERCO, RINGWAY, INDIGO, Hertsmere, 1 Life**. Local Councils will still have the opportunity to influence or top up / enhance some of these services.

Whilst such services are under such contractual arrangements, MKC will provide clear and transparent details of baseline services. These will be available as 'Supporting Documents' to the Draft Framework. It is possible that such base levels may change each year as MKC is required to re-negotiate its existing corporate contracts with its suppliers. In such cases MKC will discuss the changes with Local Councils and provide updated baseline details. MKC will endeavour to provide Local Councils with revised baseline services in November of each year, in order that Local Councils can build in any extra costs to their budgets for extra services / enhanced services / top up services in the following year.

Local Councils will be consulted in the lead up to such contracts ending with a view to exploring options of local service delivery arrangements (as relevant and appropriate) and any potential for associated asset transfers.

Services which are currently under contract or performed by in house team and cannot be considered at this time for devolving / transfer are detailed in **Table 2** below.

Strategic Services

Some services will never be considered for transfer to Local Councils because they are strategic services that, for example require a uniform service across the borough of Milton Keynes, or require specialist skills. Some of these are detailed as examples in **Table 3** below.

This list of services detailed in **Table 2** below and **Table 3** is not exhaustive, and may vary and / or be added to. In exceptional circumstances some excluded services may be included to ensure that a holistic local package can be put in place / if there is a particular tie in with an asset that has been transferred under the Community Asset Transfer Programme.

Table 2

Exclusions	
Highway Maintenance repairs	This service is currently delivered under a contract with RINGWAY until 2021
Landscaping, play areas, overgrown trees, fly tipping, gully emptying and cleaning	These services are currently delivered under a contract with SERCO until 2020 (Landscaping and Play areas) and 2023 (Street Cleansing)
Parking enforcement and resident parking schemes (except where land owned or maintained by a Local Council)	This service is currently delivered under a contract with INDIGO until 2026.
Sports and leisure facilities management	Existing contractual arrangements with MK Leisure (previously known as Hertsmere Leisure Trust) until 2024 and with 1Life until 2026
Street lighting	Specialist skills and equipment required
Strategic route winter maintenance	High risk, high cost specialism
Planning enforcement	Specialist function with wide impact
Noise and nuisance abatement	High risk, high cost specialism
Provision of traffic signs	Specialist function with wide impact

Table 3

Exclusions	
Strategic waste management	Need to provide a uniform service across Milton Keynes
Removal of hazardous fly tipping	Need to provide a uniform service across Milton Keynes
Licenses for taxis street trading and public entertainment	Need to provide a uniform service across Milton Keynes
Refuse and recycling	Need to provide a uniform service across Milton Keynes
Provision of Community recycling	Need to provide a uniform service across Milton Keynes
Planning and Transport Policy	Need to provide a uniform service across Milton Keynes
Building Control	Need to provide a uniform service across Milton Keynes
Development Control	Need to provide a uniform service across Milton Keynes
Library services	The 'Library Service' is a borough wide service provision with 9 libraries across the borough delivering to residents borough wide. Potential to consider provision enhancements in the future.

Community Asset Transfer (CAT) Programme

There is a separate programme for the Transfer of Assets to Local Councils and local interest groups. The programme has successfully transferred a number of assets. The CAT policy is currently under review. The review will look closely at how it can support this Draft Framework, in particular with a view to the elements relating to asset transfers that have potential income generating opportunities, and also looking at new and / or multiple transfer opportunities. The Draft Framework, as a 'living document' will be amended to reflect any changes to the CAT policy.

Transfer of Undertaking and Protection of Employment (TUPE)

Depending on the specific arrangement, employees may have a right to have their employment transferred to a new service provider.

MKC will provide legal advice on this at the appropriate time.

Supporting Documents

Documents supporting this Draft Framework are listed below and are available by emailing Local.Councils.Liaison@Milton-keynes.gov.uk

- Baseline Service – Landscaping
- Baseline Service – Play areas maintenance
- Baseline Service – Street cleansing
- Baseline Service – Highways
- Current Examples - Local Councils having an increased role
- TUPE Guidance – general previously issued on 22 August 2017
- Procurement Support – previously issued on 22 August 2017
- Support Services detail - available from LGSS
- Template Local Councils to outline their plan (not compulsory, but may be useful to help frame proposal)